

BINGHAM

ORIGINAL



0000106551

RECEIVED

2010 JAN -6 P 2:42

Ron W. Del Sesto, Jr.  
Nguyen T. Vu  
Phone: 202.373.6000  
Fax: 202.373.6001  
nguyen.vu@bingham.com

AZ CORP COMMISSION  
DOCKET CONTROL

December 5, 2009

VIA OVERNIGHT MAIL

Docket Control Center  
Arizona Corporation Commission  
1200 W. Washington Street  
Phoenix, AZ 85007-2927

**Re: IntelPeer, Inc.'s Response to Staff's Second Set of Data Requests  
Docket No. T-20695A-09-0387**

Dear Sir or Madam:

On behalf of IntelPeer, Inc. ("IntelPeer"), enclosed please find an original and thirteen (13) copies of the above-referenced response to Staff's Second Data Request for inclusion in the above referenced docket.

Please date-stamp the enclosed extra copy of this filing and return it in the self-addressed, postage paid envelope provided. Should you have any questions concerning this filing, please do not hesitate to contact Nguyen Vu at (202) 373-6254.

Respectfully submitted,

Ron W. Del Sesto, Jr.  
Nguyen T. Vu

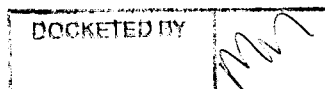
Counsel for IntelPeer, Inc.

cc: Pamela Genung

Boston  
Hartford  
Hong Kong  
London  
Los Angeles  
New York  
Orange County  
San Francisco  
Santa Monica  
Silicon Valley  
Tokyo  
Walnut Creek  
Washington

Arizona Corporation Commission  
**DOCKETED**

JAN - 6 2010



Bingham McCutchen LLP  
2020 K Street NW  
Washington, DC  
20006-1806

T 202.373.6000  
F 202.373.6001  
bingham.com

A/73257937.1

**ARIZONA CORPORATION COMMISSION  
STAFF'S SECOND SET OF DATA REQUESTS FOR  
INTELEPEER, INC.  
DOCKET NO. T-20695A-09-0387**

**PJG 2-1**

Please provide a response to the following, by email, to Pamela Genung at [pgenung@azcc.gov](mailto:pgenung@azcc.gov).

As previously written in a December 4, 2009 email addressed to Mr. Vu at Bingham McCutchen LLP:

IntelPeer Inc. has requested a protective agreement prior to releasing any of its financial information to Arizona Staff for review. In addition to the figures for Net Income, Total Assets and Total Equity being included in the Staff Report, the Net Book Value of all Arizona jurisdictional assets is also necessary to include in the Staff Report.

If IntelPeer is agreeable to the inclusion of the Net Book Value figure, in addition to the other three figures mentioned above, please send me an acknowledgement of such. Please also clearly explain the reason(s) for such treatment. I will then forward your response onto the Commission's Director's Office for consideration and preparation of Staff's standard confidentiality agreement.

**Response:**

As indicated in IntelPeer, Inc's. ("IntelPeer") e-mail response to Pamela Genung, IntelPeer hereby agrees to the inclusion of the Net Book Value of all its Arizona jurisdictional assets, Net Income, Total Assets, and Total Equity (collectively, "Confidential Financial Data") to be included in the Staff Report. IntelPeer considers the Confidential Financial Data listed above, and that found in Attachment D to IntelPeer's original application to be confidential, proprietary, non-public commercial information. With respect to the Confidential Financial Information, and that found in Attachment D to IntelPeer's original application, IntelPeer respectfully submits as follows:

- (1) The information provided is commercially sensitive, non-public information which is internally generated and not available to the IntelPeer's competitors;
- (2) The information contains critical financial and business information, the disclosure of which could place the IntelPeer at a significant competitive disadvantage if it is made available to the IntelPeer's competitors;
- (3) Because the IntelPeer is privately held, the information could not easily be replicated or obtained by a third party without the IntelPeer's assistance; and
- (4) The confidential information being provided is for the use of the Commission and its staff in exercising their governmental functions.

**PJG 2-2**

In reference to IntelPeer's response to PJG 1-2, please specify whether customer service will be provided through the use of contractors, through a service center located in California or elsewhere, or by another means.

**ARIZONA CORPORATION COMMISSION  
STAFF'S SECOND SET OF DATA REQUESTS FOR  
INTELEPEER, INC.  
DOCKET NO. T-20695A-09-0387**

**Response:** IntelPeer will provide customer service through its service centers in California and Colorado and is not planning to have a customer service center in Arizona at this time. IntelPeer will provide customers with sufficient information upon which to make informed choices among telecommunications services and providers. This includes, but is not limited to, information regarding the IntelPeer's service options, pricing, and terms and conditions of service. IntelPeer also endeavors to provide the highest standards for network technical quality, customer service, installation, repair, and billing. IntelPeer will also provide customers with information concerning the regulatory process and how customers can participate in that process, including the process of resolving complaints. Customers with billing questions or complaints may reach IntelPeer at its toll-free number (866) 780-8639. Customers can contact representatives of the company twenty-four hours a day, seven days a week, for assistance. In the event of a billing dispute, Applicant will perform a review of the disputed billing amount and promptly attempt to reach a settlement to the mutual satisfaction of all parties. Following a full investigation to determine whether or not the charges may have been fraudulent or improper, IntelPeer may adjust the disputed bill.

**PJG 2-3** Have any other members joined IntelPeer's executive management team beyond its three current members of Mr. Haba, Mr. Fawzi, and Mr. Simone? If so, please provide their name(s) and the number of years of telecommunications experience of each new member.

**Response:** Yes. In addition to Mr. Haba, Mr. Fawzi, and Mr. Simone, IntelPeer has the following members on its executive management team:

- Margaret Norton, General Manager, AppworX Business Unit (20 years of experience)
- Julie Barghouthi, Senior Vice President Product Development & Access Management
- Phil Bronsdon, Senior Vice President of Operations (over 20 years experience)
- John Belanger, Senior Vice President of Sales (over 20 years of experience)

**PJG 2-4** In reference to IntelPeer's response to PJG 1-13, the Business Local Voice Service maximum rate of \$91.20 on Original Sheet No. 51 is quite high in comparison to the Incumbent Local Exchange Carrier ("ILEC"), Qwest Corporation's, maximum Business Flat Rate Service of \$30.40, as listed in Section 5, Page 22, Release 5, of Qwest Corporation's Arizona Exchange and Network Services Price Cap Tariff. Staff strongly recommends that IntelPeer lower its maximum rate for its Business Local Voice Service to be consistent with the ILEC in Arizona.

**ARIZONA CORPORATION COMMISSION  
STAFF'S SECOND SET OF DATA REQUESTS FOR  
INTELEPEER, INC.  
DOCKET NO. T-20695A-09-0387**

**Response:** IntelPeer's amended tariff pages are attached hereto as Attachment 1.

## **Attachment 1**

**SECTION 5. MAXIMUM RATES (Cont'd)**

**5.1 Local Exchange Service (Cont'd)**

**5.2.1 Business Service**

	<u>Monthly Rate</u>
<b>Flat Rate Service</b>	<b>\$30.40</b>

---

Issued: August 7, 2009

Effective:

Issued By:

Julie Barghouthi  
Sr. Vice President product Development & Access Management  
IntelePeer, Inc.  
2855 Campus Drive, Suite 200  
San Mateo, CA 94403